

Regular Session, 2010

HOUSE BILL NO. 1269

BY REPRESENTATIVE GIROD JACKSON

JUVENILES: Provides with respect to the solicitation of children for membership in a criminal street gang

1 AN ACT

2 To amend and reenact R.S. 15:1403.1(B), relative to criminal street gangs; to provide with  
3 respect to the crime of solicitation of membership in a criminal street gang; to  
4 provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:1403.1(B) is hereby amended and reenacted to read as follows:

7 §1403.1. Solicitation of membership in a criminal street gang; penalty

8 \* \* \*

9 B.(1) Whoever violates the provisions of this Section shall be imprisoned,  
10 with or without hard labor, for not more than two years, ~~or~~ fined not more than five  
11 thousand dollars, or both.

12 (2) Any person over the age of seventeen who violates the provisions of this  
13 Section by knowingly soliciting, recruiting, enabling, encouraging, or otherwise  
14 causing a child under the age of seventeen to become a member of a criminal street  
15 gang, when there is a difference in age of at least three years between the solicitor  
16 and the person being solicited, shall be imprisoned, with or without hard labor, for  
17 not more than four years, fined not more than ten thousand dollars, or both. Lack of  
18 knowledge of the child's age shall not be a defense.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Girod Jackson

HB No. 1269

**Abstract:** Provides for penalties relative to the solicitation of children under the age of 17 to become a member of a criminal street gang.

Present law provides that no person shall knowingly solicit, recruit, enable, encourage, or otherwise cause another person to become a member of a criminal street gang.

Present law provides that whoever violates the provisions of present law shall be imprisoned, with or without hard labor, for not more than two years, fined not more than \$5,000, or both.

Proposed law retains present law and provides that whoever solicits a person under the age of 17 to become a member of a criminal street gang, when there is a difference in age of at least three years between the solicitor and the person being solicited, shall be imprisoned, with or without hard labor, for not more than four years, fined not more than \$10,000, or both.

(Amends R.S. 15:1403.1(B))